App. F. IX-4

Presented

1933.
(Mehrgrah)

File No. 225-33
Serial Nos. 1-4

Previous References
Misc 54-31 1-2
279-19-1-3
8-06 1-3
Later References.

26-1-7

GENERAL AND REVENUE SECRETARIAT.

Serial Nos.

Part B for April 34

SUBJECT.

re management of Sri Kanyaka parameswari temple at Chosepet

To Madras Govt

WD 01965—GPB—15,000—7-7-34 1358 9 4 34

Forwards a copy of the opinion of the Govt Advocate on the subject

M C. 13]

No. 1622/22-23

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE.

Dated, Bangalore 20th. November. 193 3.

FROM

N. Madhava Rau, Esq., B.A., B.L.,
Muzrai Commissioner in Mysore

To

A. N. Raghavachar, Esq., M.A.,
Secretary to the Government of His Highness
the Maharaja of Mysore.
Financial *Department.*

SIR,

Adverting to Government Proceedings No. 347-8/Muz. 54-31-2 dated 28th August 1931 directing the assumption of the management of the Sri Kanyakaparameswari Temple at Closepet, I have the honor to forward herewith in original petition dated 6th November 1933 presented by Mr. Dhanakoti Setty stating that he has no objection to handing charge of the institution, and seeking instructions if he can relinquish his right to manage the affairs without an order of the District Court, Bangalore, as he entered upon such management under a probate obtained from the Court (vide para 1 of this office letter dated 18th August 1931).

2. I request you to be so good as to cause the question to be examined by the Law Department and favour me with orders whether any application has to be made to the Court in the matter and orders obtained before Government take charge of the institution and the Endowment Fund.

I have the honor to be,
Sir,
Your most obedient servant

Muzrai Commissioner.

2

3) The file bearing to the G.O of 24/2/20 wherein the endowment of Rs 10000/- was accepted may kindly be put up -

4) The applⁿ of Sm Dhanakoti Ammal under sec 14 & the copy of probate may be obtained for reference.

5) Information may also be furnished as to whether the temple is a Nirvahi, ie whether any inam or cash grant is given to it -

193
Law

24/11/33

Under Sir)

1) File called for in para 3 will be put up before referring the file to Law Secy again. Yes 25/11 since obtained 29/11/33

2) If agreed, the file will be sent to M.C. for kindly furnishing the reports called for in para 4 & the information required in para 5 supra - A

A — Please write offs 25/11

Submitted — GS 25/11

GS 29.11

Govt Offs Retd 30/11

Letter No 786 dt 2-12-33 to the Magrl Commissioner calling for additional information with reference received in Madras

General and Revenue Secretariat | Mis. File No. 225 of 193 3 | [App. F. III—2

Serial No. 3

No 1622/22-23 dt 8.3.34 from the Muzrai Commissioner stating that the temple of Sri Kanyakaparameswari at Cocanada is neither endowed with land nor Cash grant by Government & that the petition of Mr K. Dhanakoti Setty presented on 9.3.31 & a Certified Copy of the Probate obtained by Mr Dhanakoti Setty are sent herewith.

No file will be opened in Secy's Office with information now furnished by the Govt. With ref to paras 4 & 5 Supra

G.S. M 12/3

yes 12/3

Law Dept with compliments to the Govt Advocate

G.S. 12/3

G.O.No. P 209832 dated 14.3.1934

Forwarded with compliments to the Govt advocate for favour of opinion

M Gopalan 13/3/34

193

Law

GOVT. ADVOCATE'S OFFICE MAR 193 MADRAS

Dept 747/33-34 dt 14.3.34

G.O. No. 120/32-34 dt 23.3.34

Returned with Compliments.

Mr. Dhanakoti Chetty derives his right to manage the temple not by means of the Probate but only under the

NOTE—Contn. Sheet.

WD 0134—GPB—15,000—12-10-33

Serial No.

the will. As is observed by Markby J. in 4 Calcutta 360 at page 362, "The property vests in the Executor by virtue of the will not of the Probate. The will gives the property to the Executor; the grant of Probate is the method which the law specially provides for establishing the will".

16) A copy of the will is not in the file. But as is stated by Mr. Dhanakoti Chetty in his Petition dated 9-3-1931 he seems to have been appointed the sole trustee by the Testator Mr. Narasimhia Setty and Mr. Dhanakoti Chetty is not therefore right when he says in his Petition dated 6-11-1933 that he entered on the management under the Probate.

17) An order of the District Court is therefore not necessary to hand over the management of the temple to Government.

Government Advocate.

CSN/22.3.34

(Mur Br)

18)

19) For opinion of the Legal Opinion in paras 15-17 supra be Communicated to the M.C. with reference to Correspondence ending with his letter of 8/3/34 * P. W. & H

20) With reference to para 2 of the Govt a copy of the G.A's opinion will be sent to the M.C.

(Petn)

26/3/34

Serial No.

TYPING SECTION, 6. APR 1934 GEN. SECTT.

4

No 1358 dy 9.4.34 from Magrin Commissioner forwarding to him Copy of the opinion furnished by the Government Advocate on 23.3.34. on the subject referred to therein

File No. of 193

General and Revenue Secretariat

Serial No.	

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore 2nd Dec. 1933

No. 786 Muz 22-3-2

From

The *Financial Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Muzrai Commissioner in Mysore,

Bangalore.

Sir,

With reference to your letter No.1622/22-23 dated 21st November 1933 regarding the assumption of the management of the Sri Kanyakaparameswari temple at Closepet, I am directed to enquire if the temple in question is a Muzrai Institution endowed with land or cash grant and to request you to be so good as to forward for reference the applications of Mr.Dhanakoti Chetti under Section 14 of the Mysore Religious and Charitable Institutions Regulation and the copy of probate referred to in para 1 of your letter under advertence.

I have the honour to be,

Sir,

Your most obedient servant,

For Financial Secretary to Government.

mk.2

Appendix F G—1]

SUBJECT .....

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Section Mcc

File No.

Serial No.

Diary No. of letter replied to .....

No. 786

To

The M. C.

General and Revenue Secretariat

( )

the *193* .

Sir,

With reference to your letter No. 1622/22-23 dated 21.11.22 regarding the ~~Legal action in the matter of the Dharmakotte Salt~~ relinquishment in favour of ~~the~~ Management of the Tuticorin; Sri Kanyakaparameswari temple at Cape, ~~in the~~ ~~District of the~~ Ramnad, I am directed to enquire if the temple is a rich one. Also the annual income and the expenditure thereof and to forward a ~~statement~~

Date of issue 2/12/33

Signed by K. N. Krishnaswami

regarding the assumption of the management of the

List of enclosures .....

Copied by .....

Examined by .....

WD 0677—GPB—15,000—8-11-33

No. 1622 Rev 1.4.17 OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,
22-23

Bangalore, 5th March 1934

995

E

14.

FROM N. Madhava Rau, Esq., B.A., B.L.,
Muzrai Commissioner in Mysore,
Bangalore.

To

S. Shamanna, Esq., B.A.,
Secretary to the Government of Mysore,
Financial Department.

Sir,

With reference to your letter No.786/Muz. dated 2nd December 1933 re. the management of the Sri Kanyaka Parameswari temple at Closepet, I have the honor to state that the temple is not endowed with land or cash grant by Government. The petition of Mr. K. Dhanakoti Setty presented on 9th March 1931 and a certified copy of the Probate obtained by Mr. Dhanakoti Setty are sent herewith.

I have the honor to be,
Sir,
Your most obedient servant,

N. Madhava Rau

Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. Misc 1358 with 1 bill Mg/225-33-4 — Dated, Bangalore, 7th April 1934.

From

The *Financial Secretary to the Government of His Highness the Maharaja of Mysore*

To

The Muzrai Commissioner in Mysore,
Bangalore.

Sir,

With reference to correspondence ending with your letter No.1622/22-23 dated 9th March 1934 in the matter of the management of Sri Kenyakaparameswari temple at Closepet, I am directed to forward herewith as desired copy of the Government Advocate's opinion dated 23rd March 1934 in the matter.

The enclosures received with your letter under advertance are herewith returned.

I have the honor to be,
Sir,
Your most obedient servant,

For Financial Secretary to
Government.

c.n.

Appendix F G—1]

SUBJECT .....

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Section Mes

File No. 225 - 33

Serial No. 4

No. 1358 with enclosures

Diary No. of letter replied to .....

To

General and Revenue Secretariat

( )

the 193 .

te of issue 9.4.1934

ned by H. B. Mudaliar

Sir,

I am directed to refer to your letter No. 622/22-23 dated 7/3/34 on the matter of the Municipal Council [illegible] and to state that [illegible] as desired by you [illegible] of Government [illegible] of Municipality [illegible] referred [illegible] for [illegible] the enclosures [illegible]

15,16/1/1

List of enclosures —

Copied by .....

Examined by .....